



478.1080

UNITED STATES PATENT & TRADEMARK OFFICE

Re: Application of: David MORTON, et al.
Serial No.: 10/571,884
Filed: March 13, 2006
For: **DRY POWDER COMPOSITION COMPRISING A
BENZODIAZEPINE FOR PULMONARY
INHALATION**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

April 18, 2006

INFORMATION DISCLOSURE STATEMENT

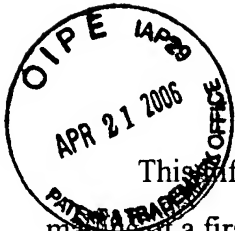
Sir:

In accordance with the provisions of 37 C.F.R. § 1.97, Applicant hereby makes of record the documents listed on the accompanying Form PTO-1449 (1 sheet) for consideration by the Examiner in connection with the examination of the above-identified patent application.

In accordance with 37 C.F.R. § 1.98(a)(2), copies of the foreign patents and non-patent publications listed on the accompanying Form PTO-1449 are enclosed. If it is determined that any of these references are not enclosed, the Examiner is requested to contact the undersigned so that a copy can be provided.

Pursuant to the waiver of the requirement under 37 C.F.R. § 1.98(a)(2)(ii), copies of the cited U.S. patents and U.S. patent publications are not enclosed.

The Examiner's attention is directed to references AC, AD, AF, AG, AH, AM on sheet 1 of the enclosed Form PTO-1449. These references were cited in the International Search Report issued in connection with International Application No. PCT/GB2004/003942. A copy of the International Search Report is enclosed as Appendix A. A copy of the Written Opinion is enclosed as Appendix B.



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This Information Disclosure Statement is filed under 37 C.F.R. §1.97 (b), before the making of a first Office Action on the merits. Accordingly, it is believed that no fee is due. In the event any additional fee is due in connection with the filing of this Information Disclosure Statement, the Commissioner is hereby authorized to charge said deficiency to our Deposit Account No. 50-0552.

Respectfully submitted,

DAVIDSON, DAVIDSON & KAPPEL, LLC

By: _____

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FORM PTO-1449
(REV. 7-80)

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.:
478.1080US

SERIAL NO.: 10/571,884

LIST OF PRIOR ART CITED BY APPLICANT

(Use several sheets if necessary)

APPLICANT(S): David MORTON, et al.

FILING DATE: March 13, 2006

GROUP: To Be Assigned

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	6	6	2	7	2	1	1	09/30/2003	Choi, et al.	424	434	
	AB	5	4	5	7	1	0	0	10/10/1995	Daniel	514	220	
	AC	20	03	01	62	8	3	5	08/28/2003	Staniforth, et al.	514	561	
	AD	20	01	00	55	5	7	1	12/27/2001	Wermeling	424	45	
	AE												

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
													YES	NO
	AF	10	1	3	0	4	4	9	01/09/2003	DE (Germany)	A61K	9/72	Abstract	
	AG	03	0	7	2	0	8	0	09/04/2003	WO	A61K	9/00		
	AH	03	0	4	1	6	9	3	05/22/2003	WO	A61K	9/72		
	AI	9	0	0	2	7	3	7	03/22/1990	WO	C07D	223/16		
	AJ	02	0	9	4	2	4	4	11/28/2002	WO	A61K	9/72		
	AK	02	0	8	9	8	8	0	11/14/2002	WO	A61K	15/00		
	AL	02	0	8	9	8	8	1	11/14/2002	WO	A61K	15/00		

OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

	AM	Gerrity TR: "Pathophysiological and Disease Constraints on Aerosol Delivery," Respiratory Drug delivery, XX, XX 1990, pages 1-38, XP008006563
	AN	Medhndiratta et al, "Clobazam monotherapy in drug naïve adult patients with epilepsy", 12 Seizures 226-228 (2003)
	AO	
	AP	

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.